

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 5199-60

First Inventor Francis Y. Lee

Title "Novel Bone Graft Composite"

Express Mail Label No. ER 000837111 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 8]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Patent Application Cover Sheet

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner: _____ Group Art Unit: _____

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation **can only** be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

30551

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Leslie Gladstone Restaino, Esq.

Brown Raysman Millstein Felder & Steiner LLP

Address

163 Madison Avenue

P.O. Box 1989

City

Morristown

State

NJ

Zip Code

07962-1989

Country

United States

Telephone

973-775-8930

Fax

973-775-8901

Name (Print/Type)

Leslie Gladstone Restaino

Registration No. (Attorney/Agent)

38,893

Signature

Leslie Gladstone Restaino

Date

January 27, 2004

<h2 style="margin: 0;">FEE TRANSMITTAL for FY 2002</h2> <p style="margin: 5px 0 0 40px;">Patent fees are subject to annual revision.</p>		Complete if Known	
		Application Number	
		Filing Date	January 28, 2003
		First Named Inventor	Francis Y. Lee
		Examiner Name	Not Yet Assigned
		Group / Art Unit	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT		(\$)	375.00
		Attorney Docket No.	5199-60

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																													
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 02-4270</p> <p>Deposit Account Name: Brown Raysman Millstein Felder & Steiner LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other </p>					<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination -RCE</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td style="text-align: right;">SUBTOTAL (3) (\$)</td> </tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	2051	65	Surcharge - late filing fee or oath		127	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		139	130	1053	130	Non-English specification		147	2,520	1812	2,520	For filing a request for reexamination		112	920*	1804	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		115	110	2251	55	Extension for reply within first month		116	410	2252	205	Extension for reply within second month		117	930	2253	465	Extension for reply within third month		118	1,450	2254	725	Extension for reply within fourth month		128	1,970	2255	985	Extension for reply within fifth month		119	320	2401	160	Notice of Appeal		120	320	2402	160	Filing a brief in support of an appeal		121	280	2403	140	Request for oral hearing		138	1,510	1451	1,510	Petition to institute a public use proceeding		140	110	2452	55	Petition to revive - unavoidable		141	1,300	2453	650	Petition to revive - unintentional		142	1,300	2501	650	Utility issue fee (or reissue)		143	470	2502	235	Design issue fee		144	630	2503	315	Plant issue fee		122	130	1460	130	Petitions to the Commissioner		123	50	1807	50	Processing fee under 37 CFR 1.17 (q)		126	180	1806	180	Submission of Information Disclosure Stmt		581	40	8021	40	Recording each patent assignment per property (times number of properties)		146	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		149	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination -RCE		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$)
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																														
105	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																														
127	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																														
139	130	1053	130	Non-English specification																																																																																																																																																																																														
147	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																														
112	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																														
113	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																														
115	110	2251	55	Extension for reply within first month																																																																																																																																																																																														
116	410	2252	205	Extension for reply within second month																																																																																																																																																																																														
117	930	2253	465	Extension for reply within third month																																																																																																																																																																																														
118	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																														
128	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																														
119	320	2401	160	Notice of Appeal																																																																																																																																																																																														
120	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																														
121	280	2403	140	Request for oral hearing																																																																																																																																																																																														
138	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																														
140	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																														
141	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																														
142	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																														
143	470	2502	235	Design issue fee																																																																																																																																																																																														
144	630	2503	315	Plant issue fee																																																																																																																																																																																														
122	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																														
123	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																														
126	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																														
581	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																														
146	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																														
149	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																														
1801	750	2801	375	Request for Continued Examination -RCE																																																																																																																																																																																														
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																														
Other fee (specify) _____																																																																																																																																																																																																		
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$)																																																																																																																																																																																													
FEE CALCULATION																																																																																																																																																																																																		
<p>1. BASIC FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>750</td><td>201</td><td>375</td><td>Utility filing fee</td><td>375</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (1)</td><td>(\$375)</td></tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <p>Total Claims: 10 -20 ** = 0 X 0 = 0</p> <p>Independent Claims: 3 -3 ** = 0 X 0 = 0</p> <p>Multiple Dependent: 0 X 0 = 0</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (2)</td><td></td></tr> </tbody> </table> <p style="font-size: small;">**or number previously paid, if greater; For Reissues, see above</p>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	750	201	375	Utility filing fee	375	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1)					(\$375)	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	84	209	42	** Reissue independent claims over original patent		110	18	210	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)																																																																																																															
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																													
101	750	201	375	Utility filing fee	375																																																																																																																																																																																													
106	330	206	165	Design filing fee																																																																																																																																																																																														
107	510	207	255	Plant filing fee																																																																																																																																																																																														
108	740	208	370	Reissue filing fee																																																																																																																																																																																														
114	160	214	80	Provisional filing fee																																																																																																																																																																																														
SUBTOTAL (1)					(\$375)																																																																																																																																																																																													
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																													
103	18	203	9	Claims in excess of 20																																																																																																																																																																																														
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																														
104	280	204	140	Multiple dependent claim, if not paid																																																																																																																																																																																														
109	84	209	42	** Reissue independent claims over original patent																																																																																																																																																																																														
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																														
SUBTOTAL (2)																																																																																																																																																																																																		

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Leslie Gladstone Restaino	Registration No. Attorney/Agent	38.893	Telephone	973-775-8930
Signature		Date	January 27, 2004		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Francis Y. Lee
Attorney Docket No.: 5199-60
For: **Novel Bone Graft Composite**

163 Madison Avenue
P.O. Box 1989
Morristown, N.J. 07962-1989

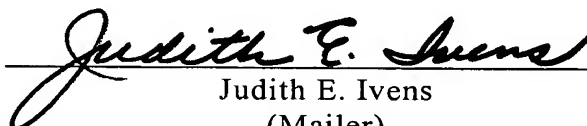
January 27, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATION

I hereby certify that this paper, bearing Express Mailing Label No. ER000837111US, together with the accompanying papers directed to the above-identified Utility Patent Application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Judith E. Ivens
(Mailer)